

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

FRED L. BADGER,

Plaintiff,

v.

CIVIL ACTION NO. 2:19-cv-00653

SOUTH CENTRAL REGIONAL JAIL, et al.,

Defendants.

and

FRED L. BADGER,

Plaintiff,

v.

CIVIL ACTION NO. 2:19-cv-00623

SOUTH CENTRAL REGIONAL JAIL, et al.,

Defendants.

**ORDER**

By standing order entered on January 4, 2016, and filed in this case on September 11, 2019, (ECF No. 3), this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation for disposition (“PF&R”). Magistrate Judge Tinsley filed his PF&R on October 29, 2020, recommending this Court dismiss the South Central Regional Jail as a defendant in this consolidated action. (ECF No. 5.)

This Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the PF&R to which no objections

are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review and Plaintiff's right to appeal this Court's order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a *de novo* review when a party "makes general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

Objections to the PF&R in this case were due on November 15, 2020. (ECF No. 5.) To date, Plaintiff Fred Badger has failed to submit any objection in response to the PF&R, thus constituting a waiver of *de novo* review and Plaintiff's right to appeal this Court's order.

Accordingly, the Court **ADOPTS** the PF&R, (ECF No. 5), and **DISMISSES** the South Central Regional Jail as a defendant in this consolidated action.

**IT IS SO ORDERED.**

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: November 30, 2020



THOMAS E. JOHNSTON, CHIEF JUDGE